



City of  
Kelowna

A24-0012

1629 KLO Road

ALC Soil and Fill Use Application to Place Fill on the Property

# Proposal

- ▶ The applicant is requesting retroactive approval from the ALC for a Soil and Fill Use application for placement of 745 cubic meters of gravel fill for a retail nursery parking lot and a nursery container production area.

# Development Process

Sept. 12, 2024

Development Application Submitted



Sept. 26, 2024

Staff Review & Circulation



Oct. 10, 2024

Agricultural Advisory Committee



Nov. 18, 2024

Council Consideration

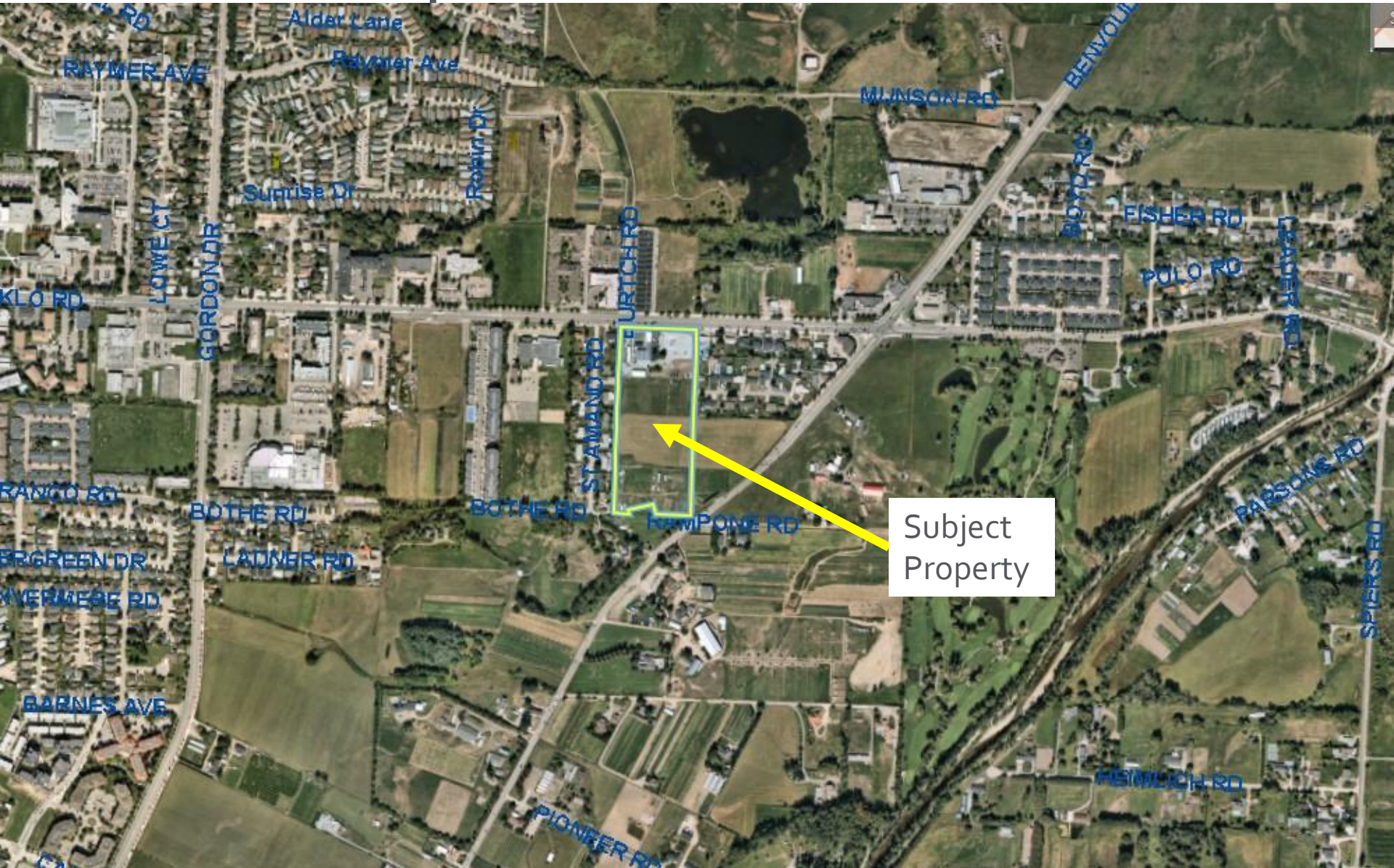


Agricultural Land Commission



Soil Placement Permit (City of Kelowna)

# Context Map



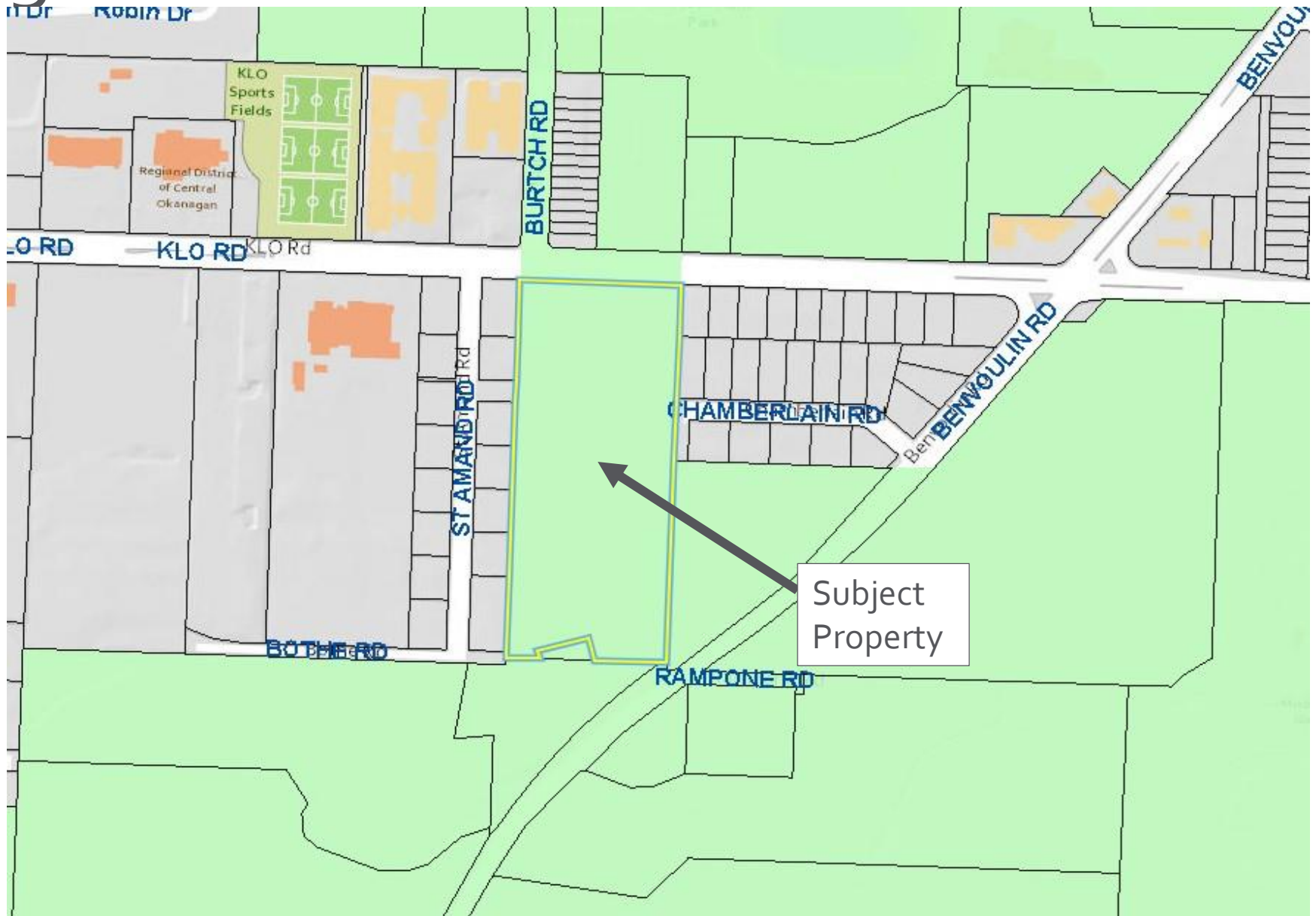
Subject  
Property

# Subject Property Map



Subject  
Property

# Agricultural Land Reserve



City of Kelowna

# Background

- ▶ The property has been owned by Bylands Nursery, since August 2023.
- ▶ Prior to Bylands, the property was used as a garden center for over 10 years under the business Better Earth and Garden.
- ▶ Between Oct. 2023 and March 2024 Bylands imported gravel to the site to enhance the container nursery and provide parking for the retail nursery business.
- ▶ On May 5, 2024, ALC Enforcement issued an order to Bylands to apply for a Soil and Fill Use application or remove the unauthorized fill.

# Agricultural Land and Soil Capability

- ▶ The site is able to support a wide range of crops based on the Class 2 and 3 capability ratings.
- ▶ General crops suited to conditions on the site include alfalfa, annual vegetable crops, cereals, corn, forage crops, nursery and Christmas trees, pears, raspberries and strawberries. Apples can be suitable if subsurface drainage is installed.



# Project/technical details

- ▶ Bylands added 745 cubic metres of fill (30 cm deep) to allow for a clean, functional and free draining area for retail nursery parking, nursery/greenhouse production and pedestrian traffic.
- ▶ The majority of the site (3.7 ha) is used for soil-based agriculture (alfalfa and cut flowers).
- ▶ The northern portion of the site (1.4 ha) has historically been used for nursery and greenhouse production, retail sales and bulk sales of soil and other products.

# Site Plan



Unauthorized  
Fill Area

# OCP Policy

- ▶ Support for Non-Farm Uses only where:
  - ▶ consistent with Zoning Bylaw and OCP;
  - ▶ provide significant benefits to agriculture;
  - ▶ accommodated using existing infrastructure;
  - ▶ minimize impacts on agricultural lands;
  - ▶ will not preclude future use for agriculture; and
  - ▶ will not harm adjacent farm operations.

# AAC Recommendation

- ▶ THAT the Committee recommends that Council supports an application (A24-0012) to the Agricultural Land Commission for a Soil and Fill Use application.

# Staff Recommendation

Staff recommend **support** of the proposed fill application.

- ▶ The fill plan is supported by the AAC
- ▶ The fill plan is supported by the Ministry of Agriculture
- ▶ The plan aligns with OCP Objectives
- ▶ The gravel fill will allow for a clean, functional and free draining area for customers and staff utilizing the site.



*Conclusion of Staff Remarks*